S.B.Criminal Revision Petition No.929/2007

Kailash Chandra
v.
State of Rajasthan

Date of Order :: 11th December, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Sandeep Mehta, for the petitioner.
Mr. V.R.Mehta, Public Prosecutor.

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By the order impugned dated 2.8.2007, learned Judicial Magistrate, Begu while rejecting the application preferred under Sections 457 and 451 Cr.P.C. refused to deliver custody of the revolver to the petitioner and also directed the Superintendent of Police, Chittorgarh to complete the investigation of the case and further to provide information of the case to the Deputy Commissioner, Deemapur if the offences alleged would have taken place in the State of Nagaland.

The contention to assail validity of the order impugned is that while adjudicating an application under Sections 451 and 457 Cr.P.C. no direction could have been given by the Magistrate to provide information of the cases to the Deputy Commissioner, Deemapur.

Having considered the arguments advanced, I do not find any merit in the matter as it is not in dispute that the licence of the weapon was said to be

borrowed by the petitioner from Deemapur (Nagaland) and if that was not issued validly then such information must be given to the officer concerned at Deemapur. The order passed by learned Magistrate, therefore, does not suffer from any error that may warrant interference of this Court while exercising powers under Section 397 read with 401 Cr.P.C.

The revision petition is accordingly dismissed.

(GOVIND MATHUR),J.

Kkm/ps.